

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

OCT - 9 1996

JAMES R. LARSEN, CLERK  
DEPUTY

UNITED STATES OF AMERICA

Plaintiff,

vs.

ROBERT SHERMAN BERRY,

Defendant.

MOTION FOR DETENTION  
HEARING

No. 96-0380A-01

The United States moves for pretrial detention of  
defendant, pursuant to 18 U.S.C. § 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a  
detention order because case involves (check all that  
apply):

☒ Crime of violence (18 U.S.C. § 3156)

☒ Maximum sentence life imprisonment or death

☐ 10+ year drug offense

☐ Felony, with two prior convictions in above  
categories

☒ Serious risk defendant will flee

☒ Serious risk obstruction of justice

2. Reason For Detention. The court should detain  
defendant because there are no conditions of release  
which will reasonably assure (check one or both):

☒ Defendant's appearance as required

☒ Safety of any other person and the community

- 1        3.    Rebuttable Presumption.    The United States will  
2        invoke the rebuttable presumption against defendant  
3        under Section 3142(e).    (If yes) The presumption  
4        applies because (check one or both):  
5          X   Probable cause to believe defendant committed 10+  
6        year drug offense or firearms offense, 18 U.S.C.  
7        § 924(c)  
8               Previous conviction for "eligible" offense  
9        committed while on pretrial bond  
10      4.    Time For Detention Hearing.    The United States  
11      requests the court conduct the detention hearing,  
12             At first appearance  
13        X   After continuance of   3   days (not more than 3).  
14      5.    Other Matters.

15  
16      DATED this   9th   day of October, 1996.

17                      JAMES P. CONNELLY  
18                      United States Attorney

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20                      THOMAS O. RICE  
21                      Assistant United States Attorney  
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